

(Do not write above this line.)

State Bar Court of California Hearing Department Los Angeles DISBARMENT		
Counsel For The State Bar Jaymin Vaghashia Deputy Trial Counsel 845 South Figureoa Street Los Angeles, CA 90017 (213)765-1209 Bar # 269369	Case Number(s): 16-O-13930-DFM 16-N-10524	For Court use only PUBLIC MATTER FILED APR 19 2017 STATE BAR COURT CLERK'S OFFICE LOS ANGELES
In Pro Per Respondent Rebecca Amelia Tapia 5723 Portal Drive Houston, TX 77096 (310)422-5196 Bar # 83053	Submitted to: Assigned Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING; ORDER OF INVOLUNTARY INACTIVE ENROLLMENT DISBARMENT <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
In the Matter of: REBECCA AMELIA TAPIA Bar # 83053 A Member of the State Bar of California (Respondent)		

Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., "Facts," "Dismissals," "Conclusions of Law," "Supporting Authority," etc.

A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted **November 29, 1978**.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of **(12)** pages, not including the order.
- (4) A statement of acts or omissions acknowledged by respondent as cause or causes for discipline is included under "Facts."
- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law."

(Effective November 1, 2015)



Disbarment

- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
- ☒ Costs to be awarded to the State Bar.
- ☐ Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
- ☐ Costs are entirely waived.
- (9) ORDER OF INACTIVE ENROLLMENT:
The parties are aware that if this stipulation is approved, the judge will issue an order of inactive enrollment under Business and Professions Code section 6007, subdivision (c)(4), and Rules of Procedure of the State Bar, rule 5.111(D)(1).

B. Aggravating Circumstances [Standards for Attorney Sanctions for Professional Misconduct, standards 1.2(h) & 1.5]. Facts supporting aggravating circumstances are required.

- (1) ☒ **Prior record of discipline**
- (a) ☒ State Bar Court case # of prior case **14-O-03417**
- (b) ☒ Date prior discipline effective **October 15, 2015.**
- (c) ☒ Rules of Professional Conduct/ State Bar Act violations: **6068(k)**
- (d) ☒ Degree of prior discipline **a three-year stayed suspension and a five-year probation with conditions including minimum of two years actual suspension.**
- (e) ☒ If respondent has two or more incidents of prior discipline, use space provided below:
- (a) State Bar Case # of prior case: **03-C-05219, 03-O-03756, 04-O-11495, 06-O-10738, 06-O-14219, 07-O-10612, and 07-O-14520**
- (b) Date prior discipline effective: **February 11, 2010**
- (c) Rules of Professional Conduct/State Bar Act Violations: **Rules of Professional Conduct, rules 4-100(B)(3); 3-700(D)(2); and 3-110(A); Business and Professions code sections 6068(m), 6101 and 6102.**
- (d) Degree of prior discipline: **a two-year stayed suspension and a five-year probation with conditions including four months of actual suspension.**
- (a) State Bar Case # of prior case: **93-C-12612 and 95-O-15304**
- (b) Date prior discipline effective: **July 27, 1997**
- (c) Rules of Professional Conduct/State Bar Act Violations: **Rules of Professional Conduct, rules 3-700(D)(1) and 3-700(D)(2); Business and Professions code sections 6101 and 6102.**

(d) Degree of prior discipline: a three-year stayed suspension and a three-year probation with conditions including twenty months of actual suspension.

- (2) ☐ **Intentional/Bad Faith/Dishonesty:** Respondent's misconduct was dishonest, intentional, or surrounded by, or followed by bad faith.
- (3) ☐ **Misrepresentation:** Respondent's misconduct was surrounded by, or followed by misrepresentation.
- (4) ☐ **Concealment:** Respondent's misconduct was surrounded by, or followed by concealment.
- (5) ☐ **Overreaching:** Respondent's misconduct was surrounded by, or followed by overreaching.
- (6) ☐ **Uncharged Violations:** Respondent's conduct involves uncharged violations of the Business and Professions Code or the Rules of Professional Conduct.
- (7) ☐ **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (8) ☐ **Harm:** Respondent's misconduct harmed significantly a client, the public, or the administration of justice.
- (9) ☐ **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.
- (10) ☐ **Lack of Candor/Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct, or to the State Bar during disciplinary investigations or proceedings.
- (11) ☒ **Multiple Acts:** Respondent's current misconduct evidences multiple acts of wrongdoing. See Stipulation Attachment at p.8.
- (12) ☐ **Pattern:** Respondent's current misconduct demonstrates a pattern of misconduct.
- (13) ☐ **Restitution:** Respondent failed to make restitution.
- (14) ☐ **Vulnerable Victim:** The victim(s) of Respondent's misconduct was/were highly vulnerable.
- (15) ☐ **No aggravating circumstances** are involved.

Additional aggravating circumstances:

C. Mitigating Circumstances [see standards 1.2(i) & 1.6]. Facts supporting mitigating circumstances are required.

- (1) ☐ **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not likely to recur.
- (2) ☐ **No Harm:** Respondent did not harm the client, the public, or the administration of justice.
- (3) ☐ **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of his/her misconduct or to the State Bar during disciplinary investigations and proceedings.

(Do not write above this line.)

- (4) ☐ **Remorse:** Respondent promptly took objective steps demonstrating spontaneous remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of his/her misconduct.
- (5) ☐ **Restitution:** Respondent paid \$ on in restitution to without the threat or force of disciplinary, civil or criminal proceedings.
- (6) ☐ **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to respondent and the delay prejudiced him/her.
- (7) ☐ **Good Faith:** Respondent acted with a good faith belief that was honestly held and objectively reasonable.
- (8) ☐ **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct respondent suffered extreme emotional difficulties or physical or mental disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and the difficulties or disabilities no longer pose a risk that Respondent will commit misconduct.
- (9) ☐ **Severe Financial Stress:** At the time of the misconduct, respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10) ☐ **Family Problems:** At the time of the misconduct, respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.
- (11) ☐ **Good Character:** Respondent's extraordinarily good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.
- (12) ☐ **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by subsequent rehabilitation.
- (13) ☐ **No mitigating circumstances** are involved.

Additional mitigating circumstances:

See Stipulation Attachment at p. 8.

D. Discipline: Disbarment.

E. Additional Requirements:

- (1) **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (2) ☐ **Restitution:** Respondent must make restitution to _____ in the amount of \$ _____ plus 10 percent interest per year from _____. If the Client Security Fund has reimbursed _____ for all or any portion of the principal amount, respondent must pay restitution to CSF of the amount paid plus applicable interest and costs in accordance with Business and Professions Code section 6140.5. Respondent must pay the above restitution and furnish satisfactory proof of payment to the State Bar's Office of Probation in Los Angeles no later than _____ days from the effective date of the Supreme Court order in this case.
- (3) ☒ **Other:** Pursuant to Supreme Court Order S226503, respondent must provide proof, in the form of a conformed copy of a Satisfaction of Judgment, of full payment of the judgment in the case of Estate of Barbara Hindry, deceased, Los Angeles, Superior Court Case No. BP039801 (probate) or provide proof that she has successfully vacated the judgment. In the event respondent, through negotiations with County Counsel and the Estate of Barbara Hindry obtains an agreement by the parties for payment of a reduced amount, respondent must provide proof of said agreement, as well as proof that she has completed payment of the compromised amount.

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: REBECCA AMELIA TAPIA

CASE NUMBERS: 16-O-13930-DFM; 16-N-10524

FACTS AND CONCLUSIONS OF LAW.

Respondent admits that the following facts are true and that she is culpable of violations of the specified statutes and/or Rules of Professional Conduct.

Case No. 16-O-13930 (State Bar Investigation)

FACTS:

1. On September 15, 2015, the California Supreme Court filed an order in Case No. S226503 (State Bar Court case number 14-0-03417), which became effective on October 15, 2015, consisting of the following discipline for respondent: a three-year stayed suspension and a five-year probation subject to the conditions recommended by the Hearing Department of the State Bar Court in its March 20, 2015 order including a minimum two-year actual suspension. On September 15, 2015, the clerk of the Supreme Court served a copy of this order on respondent at her State Bar membership records address. Respondent received the Supreme Court order.

2. Pursuant to the Supreme Court order, respondent was ordered to comply with the following terms and conditions of probation, among others:

- a. To submit written quarterly reports to the Office of Probation by each January 10, April 10, July 10, and October 10 of the period of probation.
- b. Within 60 days of the effective date of discipline, to submit a copy of the mental health professional's written report to the Office of Probation.
- c. To have her mental health professional submit to the Office of Probation an original, signed declaration that respondent is in compliance with the treatment conditions by each January 10, April 10, July 10, and October 10 of the period of probation.
- d. Within one year of the effective date of discipline, to submit proof of attendance and passage of State Bar Ethics School.

3. Respondent failed to comply with three conditions of her probation. Respondent's period of probation from Supreme Court order ends on October 15, 2020.

4. During the period of probation, respondent failed to submit a mental health professional's written report to the Office of Probation due by December 14, 2015.

5. Respondent failed to timely submit to the Office of Probation three quarterly mental health reports, including the reports due by:

- a. January 10, 2016 (Respondent submitted this quarterly report on January 14, 2016);
- b. April 10, 2016 (Respondent submitted this quarterly report on June 30, 2016);

CONCLUSIONS OF LAW:

6. By failing to submit to the Office of Probation a mental health professional's written report and failing to timely submit to the Office of Probation two mental health reports, respondent failed to comply with the conditions attached to respondent's disciplinary probation in State Bar Court Case No. 14-O-03417 in willful violation of Business and Professions Code section 6068(k).

Case No. 16-N-10524 (State Bar Investigation)

FACTS:

7. Pursuant to the Supreme Court order, respondent was ordered to comply with California Rules of Court, rule 9.20 subdivisions (a) and (c) within 30 and 40 calendar days respectively. Respondent's rule 9.20 affidavit was due filed by November 24, 2015.

8. On November 24, 2015, respondent filed a rule 9.20 affidavit that was non-compliant as respondent failed to include her current address for future correspondence.

9. On December 17, 2015, the Office of Probation mailed to respondent at her official State Bar membership address, 5723 Portal Drive, Houston, TX 77096, a letter indicating that respondent's rule 9.20 affidavit filed on November 24, 2015, was non-compliant as respondent failed to include her current address for future communications. Respondent received the letter.

10. On January 26, 2016, respondent filed a compliant rule 9.20 affidavit.

CONCLUSIONS OF LAW:

11. By failing to timely file a compliant rule 9.20 affidavit, respondent failed to comply with the Supreme Court Order in Case No. S226503 in willful violation of rule 9.20.

AGGRAVATING CIRCUMSTANCES.

Prior Record of Discipline (Std. 1.5(a)): Respondent has three prior records of discipline. The Supreme Court disciplined respondent in case numbers 93-C-12612 and 95-O-15304, effective July 27, 1997. The Court suspended respondent for three years, stayed, placed her on probation for three years including a twenty-month actual suspension. In case number 93-C-12612, the Court found that the facts and circumstances surrounding Respondent's misdemeanor conviction for altering court dockets in violation of Government Code 6201 involved moral turpitude. The misconduct occurred in 1993. In case number 95-O-15304, the Court found that respondent violated Rules of Professional Conduct, rules 3-700(D)(1) and 3-700(D)(2) by failing to return a client's file and failing to refund unearned legal fees. The misconduct occurred from 1993 to 1995. In aggravation, respondent's conduct involved dishonesty and concealment. Her conduct harmed her client and the administration of justice. In mitigation, the court found that respondent was undergoing severe emotional and physical difficulties and displayed spontaneous candor and cooperation.

The Supreme Court disciplined respondent in case numbers 03-C-05219; 03-O-03756; 04-O-11495; 06-O-10738; 06-O-14219; 07-O-10612; and 07-O-14520, effective February 11, 2010. The Court suspended respondent for two years, stayed, placed her on probation for five years including a four-month actual suspension. The Court found respondent was criminally convicted for driving under the

influence, a misdemeanor that did not involve moral turpitude but that did involve misconduct warranting discipline. The Court also found respondent violated Rules of Professional Conduct, rules 4-100(B)(3) (failure to provide an accounting); 3-700(D)(2) (failure to promptly refund any part of a fee paid in advance that had not been earned); 4-100(A) in two matters (commingling personal funds in a client trust account); and violated Business and Professions Code section 6068(m) (failure to keep a client reasonably informed of significant developments in matter in which respondent had agreed to provide legal services). The misconduct took place between 2000 and 2007 in five client matters and one criminal conviction matter. In aggravation, respondent had one prior record of discipline and multiple acts of misconduct. In mitigation, respondent cooperated with the investigation, her clients were not harmed, and she was undergoing emotional and physical difficulties.

The Supreme Court disciplined Respondent in case number 14-O-03417, effective October 15, 2015. The Court suspended respondent for three years, stayed, placed her on probation for five years including a two-year actual suspension and until compliance with Standard 1.4(c)(ii) before reinstatement. The Court found that respondent violated Business and Professions code section 6068(k) (failure to comply with all conditions of probation). The Court found respondent failed to timely submit to the Office of Probation six quarterly reports, six reports of compliance with conditions of probation in the underlying criminal matter, six Protection of Client Fund Reports, one Client Funds Certificate, and one LAP report and failed to submit to the Office of Probation proof of payment or vacation of the judgment in the *Estate of Barbara Hindry*. The misconduct occurred from 2010 to 2014. In aggravation, respondent had two prior records of discipline and multiple acts of misconduct. In mitigation, respondent was undergoing emotional and physical difficulties and respondent also entered into a pretrial stipulation.

Multiple Acts of Wrongdoing (Std. 1.5(b)): From November 2015 to present, respondent committed multiple acts of misconduct by failing to provide the Office of Probation with a mental health professional evaluation report, filing two quarterly mental health reports late, and failing to file a compliant rule 9.20 affidavit. These multiple acts of misconduct constitute an aggravating factor pursuant to Standard 1.5(b). (*See In the Matter of Tiernan* (Review Dept. 1996) 3 Cal. State Bar Ct. Rptr. 523, 529 [holding that failure to cooperate with probation monitor and failure to timely file probation reports constituted multiple acts of misconduct].) Violating multiple conditions of disciplinary probation constitutes multiple acts of misconduct, but because these conditions stem from the same order, this factor should only be given "modest weight" in aggravation. (*In the Matter of Carver* (Review Dept 2014) 5 Cal. State Bar Ct. Rptr. 348, 355.)

MITIGATING CIRCUMSTANCES.

Pretrial Stipulation: By entering into this stipulation, respondent has acknowledged misconduct and is entitled to mitigation for recognition of wrongdoing and saving the State Bar significant resources and time. (*Silva-Vidor v. State Bar* (1989) 49 Cal.3d 1071, 1079 [where mitigative credit was given for entering into a stipulation as to facts and culpability]; *In the Matter of Spaith* (Review Dept. 1996) 3 Cal. State Bar Ct. Rptr. 511, 521 [where the attorney's stipulation to facts and culpability was held to be a mitigating circumstance].)

AUTHORITIES SUPPORTING DISCIPLINE.

The Standards for Attorney Sanctions for Professional Misconduct "set forth a means for determining the appropriate disciplinary sanction in a particular case and to ensure consistency across cases dealing with similar misconduct and surrounding circumstances." (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.1. All further references to standards are to this source.) The standards help fulfill the primary purposes of discipline, which include: protection of the

public, the courts and the legal profession; maintenance of the highest professional standards; and preservation of public confidence in the legal profession. (See std. 1.1; *In re Morse* (1995) 11 Cal.4th 184, 205.)

Although not binding, the standards are entitled to "great weight" and should be followed "whenever possible" in determining level of discipline. (*In re Silvertown* (2005) 36 Cal.4th 81, 92, quoting *In re Brown* (1995) 12 Cal.4th 205, 220 and *In re Young* (1989) 49 Cal.3d 257, 267, fn. 11.) Adherence to the standards in the great majority of cases serves the valuable purpose of eliminating disparity and assuring consistency, that is, the imposition of similar attorney discipline for instances of similar attorney misconduct. (*In re Naney* (1990) 51 Cal.3d 186, 190.) If a recommendation is at the high end or low end of a standard, an explanation must be given as to how the recommendation was reached. (Std. 1.1.) "Any disciplinary recommendation that deviates from the Standards must include clear reasons for the departure." (Std. 1.1; *Blair v. State Bar* (1989) 49 Cal.3d 762, 776, fn. 5.)

In determining whether to impose a sanction greater or less than that specified in a given standard, in addition to the factors set forth in the specific standard, consideration is to be given to the primary purposes of discipline; the balancing of all aggravating and mitigating circumstances; the type of misconduct at issue; whether the client, public, legal system or profession was harmed; and the member's willingness and ability to conform to ethical responsibilities in the future. (Stds. 1.7(b) and (c).) The Standards applicable to this matter are Stds. 1.8(b) and 2.14.

Standard 2.14 states:

Actual suspension is appropriate for failing to comply with a condition of discipline. The degree of sanction depends on the nature of the condition violated and the member's unwillingness or inability to comply with disciplinary orders.

Here, respondent has failed to comply with three conditions of probation and failed to timely comply with rule 9.20. Respondent received mitigation credit for emotional and physical difficulties in all three of her priors. Accordingly, the mental health conditions of her third prior are among the most important conditions as they are designed to address and monitor her ongoing mental health issues. Despite this, to date respondent has failed to submit to the Office of Probation the mental health evaluation that was due over a year ago on December 14, 2015. Equally troubling is the fact that although respondent was disciplined in her third prior for failure to comply with the probation conditions of her second prior, respondent has continued to violate conditions of discipline. Because respondent has demonstrated an unwillingness or inability to comply with disciplinary orders, discipline on the high end of the range suggested by Standard 2.14 is appropriate.

Additionally, rule 9.20 of the California Rules of Court must be considered. Rule 9.20 itself suggests the range of discipline appropriate for a violation of the rule. The rule supports disbarment. In pertinent part, rule 9.20 states: "A suspended member's willful failure to comply with the provisions of this rule is a cause for disbarment or suspension and for revocation of any pending probation. In addition, such failure may be punished as a contempt or a crime." (Cal. Rules of Court, rule 9.20(d).) The Legislature considers noncompliance with rule 9.20 a potential crime, as well as an act of professional misconduct, confirms the serious nature of rule 9.20 violations (*Id.*).

Moreover, case law addressing violations of rule 9.20 is clear and supports disbarment. (See *Bercovich v. State Bar* (1990) 50 Cal.3d 116, 131 ["disbarment is generally the appropriate sanction for a wilful violation of rule 955 [now rule 9.20]"]; see also *In the Matter of Grueneich* (Review Dept. 1993) 2 Cal. State Bar Ct. Rptr. 439, 422; see also *In the Matter of Babero* (Review Dept. 1993) 2 Cal.

State Bar Ct Rptr. 322, 332.) Respondent's failure to comply with the rule 9.20 is evidence that disbarment is the appropriate level of discipline in this case.

Respondent failed to submit a compliant rule 9.20 affidavit by the due date on November 24, 2015 despite having been disciplined for failure to comply with a prior disciplinary order. Respondent's failure to comply with the rule 9.20 is evidence that disbarment is the appropriate level of discipline in this case.

Standard 1.8(b) states:

If a member has two or more prior records of discipline, disbarment is appropriate in the following circumstances unless the most compelling mitigating circumstances clearly predominate or the misconduct underlying the prior discipline occurred during the same time period as the current misconduct:

1. Actual suspension was ordered in any one of the prior disciplinary matters;
2. The prior disciplinary matters coupled with the current record demonstrate a pattern of misconduct; or
3. The prior disciplinary matters coupled with the current record demonstrate the member's unwillingness or inability to conform to ethical responsibilities.

In this case, the current misconduct did not occur during the same time frame as any of the prior misconduct. Respondent's prior misconduct in case numbers 93-C-12612 and 95-O-15304 occurred in 1993 to 1995. Respondent's misconduct in case numbers 03-C-05219; 03-O-03756; 04-O-11495; 06-O-10738; 06-O-14219; 07-O-10612; and 07-O-14520 occurred in 2000 to 2007. Respondent's misconduct in case number 14-O-03417 occurred in 2010 to 2014. Respondent's current misconduct began November 24, 2015 and continues to date. Actual suspensions were ordered in all three (3) of respondent's prior disciplinary matters.

Further, as discussed above, respondent's most recent discipline in case number 14-O-03417 was imposed for violation of Business and Professions Code section 6068(k) (failure to comply with all conditions of probation). Respondent failed to comply with 21 conditions of probation. In the current matter, respondent has once again violated Business and Professions Code section 6068(k) by failing to comply with five separate conditions of probation.

Standard 1.8(b) indicates that disbarment is appropriate in the current proceeding because actual suspension was ordered in all three of the prior disciplinary matters, and the prior disciplinary matters, coupled with the current record, demonstrate respondent's unwillingness or inability to conform to ethical responsibilities. Respondent has not provided any evidence to indicate that the most compelling mitigating circumstances predominate. Accordingly, pursuant to standard 1.8(b), the appropriate discipline is disbarment.

In the Matter of Rose (Review Dept. 1997) 3 Cal. State Bar Ct. Rptr. 646 is instructive. In a prior discipline, Rose was suspended for three years, execution was stayed, and he was placed on probation for three years with conditions, including actual suspension for one year and until compliance with Standard 1.4(c)(ii). The conditions of probation required, among other things, that he complete State Bar Ethics School, develop an approved law office management plan and complete an approved law office management course within one year of the effective date of the discipline. Rose failed to timely comply with all three of these conditions. However, after the Probation Unit notified Rose that he had failed to

timely comply, he belatedly complied with all three conditions almost one year after the original completion due date.

The Review Department found Rose culpable of willfully failing to comply with the conditions of his probation, in violation of Business and Professions Code section 6103, and recommended that he be disbarred. In mitigation, the Court gave some weight to the fact that Rose cooperated during the disciplinary proceeding by candidly admitting his misconduct and gave significant weight to his extensive community service. In aggravation, Rose had an "extensive" record of three prior impositions of discipline, and his misconduct involved multiple acts.

In recommending that Rose be disbarred, the Review Department noted that he had been given ample opportunity to reform his conduct and had failed or refused to do so. The Court explained that "the principal purpose of disciplinary proceedings and the imposition of sanctions is to protect the public by ensuring to the extent possible that misconduct by an attorney will not recur." (*Rose, supra*, 3 Cal. State Bar Ct. Rptr. at 655, citing *Sternlieb v. State Bar* (1990) 52 Cal. 3d 317, 331.) However, because probation and suspension had proven inadequate in the past to protect against future misconduct, the Court concluded that disbarment was appropriate to protect the public, courts and legal profession.

Here, respondent's misconduct is similar to the misconduct in *Rose*. Respondent failed to comply with the conditions of probation, has three prior records of discipline, all of which included multiple acts of misconduct, as does the instant case, and the most recent prior imposition of discipline consists of the same misconduct as is present in the instant case. Clearly, probation and suspension have proven inadequate in the past to protect against future misconduct as respondent is continuing to violate the conditions of probation. Consequently, respondent has shown an unwillingness or inability to conform to ethical responsibilities. Disbarment is appropriate to protect the public, the courts, and the legal profession; help maintain high professional standards; and preserve the public confidence in the profession.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of Chief Trial Counsel has informed respondent that as of March 27, 2017, the discipline costs in this matter are \$7,609.00. Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

(Do not write above this line.)

In the Matter of: REBECCA AMELIA TAPIA	Case Number(s): 16-O-13930-DFM 16-N-10524
---	---

DISBARMENT ORDER

Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- ☒ The stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
- ☐ The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- ☐ All Hearing dates are vacated.

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See rule 5.58(E) & (F), Rules of Procedure.) **The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after file date. (See rule 9.18(a), California Rules of Court.)**

Respondent Rebecca Amelia Tapia is ordered transferred to involuntary inactive status pursuant to Business and Professions Code section 6007, subdivision (c)(4). Respondent's inactive enrollment will be effective three (3) calendar days after this order is served by mail and will terminate upon the effective date of the Supreme Court's order imposing discipline herein, or as provided for by rule 5.111(D)(2) of the Rules of Procedure of the State Bar of California, or as otherwise ordered by the Supreme Court pursuant to its plenary jurisdiction.

Date

April 18, 2017

[Signature]
YVETTE D. ROLAND

Judge of the State Bar Court

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of Los Angeles, on April 19, 2017, I deposited a true copy of the following document(s):

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND
ORDER APPROVING

in a sealed envelope for collection and mailing on that date as follows:

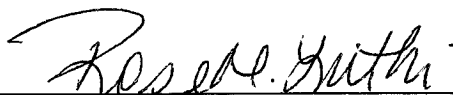
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

REBECCA AMELIA TAPIA
5723 PORTAL DR
HOUSTON, TX 77096

- ☒ by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

JAYMIN VAGHASHIA, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on April 19, 2017.



Rose M. Luthi
Case Administrator
State Bar Court